

FILED

MAR 08 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA1 KEVIN V. RYAN (CSBN 118321)
United States Attorney2 EUMI CHOI (WVSBN 07922)
Chief, Criminal Division3 C. DAVID HALL (CSBN 66081)
Assistant United States Attorney4 5 450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7168
7 Attorneys for Plaintiff8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION11 UNITED STATES OF AMERICA,) No. CR 05-00798 PJH
12 Plaintiff,) GOVERNMENT'S MOTION TO DISMISS
13 v.) AND (~~PROPOSED~~) ORDER
14 JASON THOMAS,)
15 Defendant.)17 The United States Attorney's Office for the Northern District of California moves to dismiss
18 the charges against Jason Thomas without prejudice in the above entitled indictment pursuant to
19 Federal Rule of Criminal Procedure 48 (a), as the government has not been able to comply with
20 the Court's order of January 4, 2006 regarding discovery. There have been no findings
21 regarding factual guilt or innocence. The government has previously notified defense counsel,
22 Steve Teish, of its intent to move to dismiss the action without prejudice
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24 DATED: March 8, 2006

Respectfully submitted,

25 KEVIN V. RYAN
United States Attorney26 27 28 C. DAVID HALL
Assistant United States AttorneyMOTION TO DISMISS
[CR 05-00798] [PJH]

1 (PROPOSED) ORDER
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3 Upon the motion of the United States, the proceedings in the above entitled matter is
4 dismissed without prejudice as to the defendant Jason Thomas.

5 Dated: 3/8/06
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8 HON. PHYLLIS J. HAMILTON
United States District Court Judge
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